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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF UTAH, CENTRAL DIVISION

JESUS MORENO, MANUEL)	ANSWER TO FIRST AMENDED
RAMIREZ, AND JESUS BARAJAS, ON)	COMPLAINT
BEHALF OF THEMSELVES AND OTHER)	
SIMILARLY SITUATED,)	
)	
Plaintiffs,)	
)	
v.)	
)	
ZITTING BROTHERS)	
CONSTRUCTION, INC., SAMUEL)	Civil No. 2:08-CV-00995 DAK
ZITTING, AND JARED ZITTING,)	
)	Judge Dale A. Kimball
Defendants.)	
)	

Defendants Zitting Brothers Construction, Inc., Samuel Zitting, and Jared Zitting (collectively “Zitting Construction”) now appear and answer the First Amended Complaint of Plaintiffs Jesus Moreno, Manuel Ramirez, and Jesus Barajas (“Plaintiffs”) as follows:

Zitting Construction answered the original Complaint in great detail. The First Amended Complaint is very similar to the original Complaint but adds new allegations that almost exclusively concern a new defendant, ESG Administration, Inc. (“ESG”).

Zitting Construction hereby incorporates its denials, admissions, and other responses from its answer to the original Complaint. Zitting Construction denies all new allegations made in the First Amended Complaint, either because Zitting Construction lacks sufficient knowledge to form a belief as to the truth of the matters alleged, or because the new allegations constitute legal conclusions. In the case of paragraph 12 of the First Amended Complaint, the allegations are ambiguous and are denied to the extent they are comprehensible.

Zitting Construction incorporates its previously stated affirmative defenses and prayer for relief, as well as those alleged by ESG in its Answer.

DATED this 21st day of October, 2009.

HOLLAND & HART LLP

/s/ H. Douglas Owens

H. Douglas Owens

Attorneys for Defendants

CERTIFICATE OF SERVICE

I hereby certify that on the 21st day of October, 2009, I electronically filed the foregoing ANSWER TO FIRST AMENDED COMPLAINT with the Clerk of the Court using the CM/ECF system which sent notification of such filing to the following:

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